

Appl. No.: 10/017,165
Amdt. dated September 27, 2010
Reply to Office Action of May 25, 2010

REMARKS/ARGUMENTS

This Amendment is being filed concurrently with a Request for Continued Examination. With this Amendment, Applicant amends claims 1, 7, 15, 21, 29 and 35 and cancels claims 43-48 without prejudice or disclaimer. Based on the foregoing amendments and the following remarks, Applicant respectfully requests reconsideration of the application and allowance of all the claims.

I. Objection to Claim of Priority

On page 3 of the Advisory Action, the Examiner objects to Applicant's claim of priority to Application No. 09/394,341, filed September 13, 1999 because the phrase "the contents of which are incorporated herein by reference" submitted with the amendment to the specification in the Response filed August 25, 2010 is allegedly "improper." Applicant herein amends the specification to delete the phrase "the contents of which are incorporated herein by reference" with respect to the relationship of the present application to Application No. 09/394,341 filed September 13, 1999. As such, Applicant respectfully requests the Examiner to reconsider and withdraw the objection to the claim of priority.

II. Rejection of Claims 1, 3-5, 7, 9-12, 14-15, 17-19, 21, 23-26, 28-29, 31-33, 35, 37-40 & 42-48 Under 35 U.S.C. § 103(a)

Claims 1, 3-5, 7, 9-12, 14-15, 17-19, 21, 23-26, 28-29, 31-33, 35, 37-40 and 42 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Teagarden et al. (U.S. Patent No. 6,014,631; hereinafter "Teagarden"), Walker et al. (U.S. Patent No. 6,302,844; hereinafter "Walker") and further in view of Papageorge (U.S. Patent No. 6,584,445; hereinafter "Papageorge").

As an initial matter, Applicant points out that claims 43-48 are herein canceled without prejudice or disclaimer. Applicant also points out that in the Final Office Action of May 25, 2010, the Examiner relied on Sato et al. (U.S. Patent No. 5,911,687; hereinafter "Sato") as allegedly disclosing "information comprises billing data for an amount of money owed to the professional services provider ..." (See pg 25 of the Final Office Action).

In contrast to amended independent claim 1, Teagarden, Walker, Papageorge and Sato, taken individually or in combination, do not teach or suggest and are altogether silent regarding a method of providing professional services comprising *inter alia*: (A) enabling a patient to access a secure area and view the data, provided by the professional services provider advising the patient about a medical matter of the patient, via the client device of the patient; (B) in which the client device of the patient analyzes the data and determines that at least a portion of the data comprises billing information indicating an amount of money owed to the professional services provider for providing the information advising the patient about the medical matter.

In contrast to amended claim 1, Sato, alone or in combination with Teagarden, Walker and Papageorge, at most discloses a doctor side terminal 102 that provides accounting information to an accounting terminal 303 which is not maintained by the patient. Rather, Sato, alone or in combination with Teagarden, Walker and Papageorge discloses that the accounting terminal 303 is "*constitut[ed] by the clinic.*" (Col. 6, lines 52-55 of Sato)

Since Sato, alone or in combination, at most discloses that a doctor side terminal 102 provides accounting information to an accounting terminal 303 in which both terminals are maintained by a clinic, Sato, alone or in combination with Teagarden, Walker and Papageorge, does not teach or suggest that data provided by a *professional services provider to a client device of a patient* is *analyzed by the client device of the patient* in order to *determine* that the data includes billing information indicating an amount of money owed to the professional services provider for advising the patient about the medical matter in response to receipt of the information entered by the patient that is associated with the medical matter of the patient, as required by amended claim 1.

Rather, Sato, alone or in combination, at most relates to exchange of accounting information between devices of a clinic for services rendered to a patient. However, Sato, alone or in combination with Teagarden, Walker and Papageorge, is altogether silent regarding providing a patient with data, via a client device of the patient, from a professional service provider advising the patient about a medical matter of the patient in which the client device of the patient analyzes the data and determines that the data includes billing data, as required by amended claim 1. Sato, alone or in combination with Teagarden, Walker and Papageorge, also

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does not teach or suggest that a client device of a patient determines that any billing information indicates an amount of money owed to the professional service provider for providing the information advising the patient about the medical matter that was entered by the patient via the client device in communication with a data processing system, as recited by amended independent claim 1.

For at least the foregoing reasons, the combination of Teagarden, Walker, Papageorge and Sato is deficient and does not teach or suggest the features of claim 1. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the § 103(a) rejection of claim 1 and its dependent claims 3-5.

Since amended independent claims 7, 15, 21, 29 and 35 contain features that are analogous to, though not necessarily coextensive with, the features recited in independent claim 1, Applicant submits that independent claims 7, 15 and 21 and their respective dependent claims 9-12, 14, 17-19, 23-26 and 28 as well as independent claims 29 and 35 and their respective dependent claims 31-33, 37-40 and 42 are patentable at least for reasons analogous to those submitted for claim 1.

III. Conclusion

In view of the foregoing remarks, Applicant respectfully submits that all of the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. Examiner Porter is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

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